

### REMARKS

Favorable consideration of this Application as presently amended and in light of the following discussion is respectfully requested.

After entry of the foregoing Amendment, Claims 43-48 are pending in the present Application. Claims 1-42 have been canceled without prejudice or disclaimer. Claims 43-48 are new. Support for new Claims 43-48 can be found, at least, at page 99 of the specification and Fig. 57. No new matter has been added.

By way of summary, the Official Action presents the following issues: an objection to the Title of the invention and Abstract have been noted; Claims 17-42 stand rejected under 35 U.S.C. § 112, second paragraph; Claims 17-42 stand rejected under 35 U.S.C. § 102 as being anticipated by Tomat et al. (U.S. Patent No. 6,784,925, hereinafter Tomat).

### OBJECTION TO TITLE OF THE INVENTION

The Official Action has objected to the Title of the invention. Applicants submit herewith a new Title of the invention.

Accordingly, Applicants respectfully request that the objection to the Title be withdrawn.

### OBJECTION TO THE ABSTRACT

The Official Action has objected to the Abstract of the invention. Applicants have amended the Abstract to address informalities.

Accordingly, Applicants respectfully request that the objection to the Abstract be withdrawn.

REJECTION UNDER 35 U.S.C. § 112

The Official Action has rejected Claims 17-42 under 35 U.S.C. § 112, second paragraph. As Claims 17-42 have been canceled, this rejection has been rendered moot.

REJECTION UNDER 35 U.S.C. § 102

The Official Action has rejected Claims 17-42 under 35 U.S.C. § 102 as being anticipated by Tomat. The Official Action states that Tomat discloses all of the Applicants' claim limitations. In the interest of advancing prosecution, although Claims 17-42 have been canceled, Applicants will treat this rejection as if applied to Claims 43-48. Applicants respectfully traverse the rejection.

By way of background, multimedia content, such as music data, is increasingly transferred via electronic means to portable devices. In such arrangements, the transfer of content between devices involves manipulation of menus and device interfaces.<sup>1</sup>

In light of, at least, the above deficiencies in the art, the present invention is provided. With at least this object in mind, a brief comparison of the claimed invention in view of the cited references is believed to be in order.

Tomat describes a system for managing files stored to a digital image capture device. Upon connection of a camera (14) to a computing system (1), each thumbnail image stored in the camera is sequentially downloaded to the computing system.<sup>2</sup> Next, a sequential download of each full-resolution JPEG image file stored in the camera begins. As shown in Fig. 13, files transferred from the camera to the computing system may be saved in canister format or in accordance with a naming nomenclature.<sup>3</sup> In the canister format, images are received in numerical order upon download from the camera. For example, a first photo

---

<sup>1</sup> Application at pages 1-2.

<sup>2</sup> Tomat at column 6, line 9 through column 7, line 66.

<sup>3</sup> Tomat at column 11, lines 18-26.

group in the camera may be designated Group 1 within canister 1 and photo groups 51, 52, and 53 represent the first, second and third photo groups within canister 2.<sup>4</sup>

Conversely, in an exemplary embodiment of the Applicants' invention, an information processor detects the connection of a portable device having content stored therein to a port of the information processor. The information processor accesses data from the portable device, identifying at least a portion of the content stored in the information processor. A generating unit of the information processor generates a package of identified content based on the data.

For example, upon connection of the portable device to the information processor, a common "playlist" is identified. Content corresponding to this playlist may then be generated at the information processor for the purpose of synchronizing the two devices with respect to the playlist.<sup>5</sup> Tomat does not disclose or suggest accessing data identifying a portion of content in a portable device and generating a package of identified content based on this identification, as recited in Claim 43, or any claim depending therefrom. Likewise, as independent Claims 45 and 47 recite substantially similar limitations to those discussed above, Applicants respectfully submit that these claims, and any corresponding depending claims, are also allowable over the cited reference.

Applicants note that Claims 44, 46, and 48 recites a more detailed aspect of the Applicants' invention, in which the generated package includes titles of content, which are displayed at the information processor. Applicants note that this more detailed aspect of the Applicants' invention, in addition to the distinctions noted above, further distinguish these

---

<sup>4</sup> Tomat at column 15, lines 40-44.

<sup>5</sup> Application at page 99.

claims over the cited references. Accordingly, Applicants respectfully submit that Claims 43-48 are allowable over the cited reference.

CONCLUSION

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present Application, including Claims 43-48, is patently distinguished over the prior art, in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND  
MAIER & NEUSTADT, P.C.



Bradley D. Lytle  
Registration No. 40,073  
Attorney of Record

Scott A. McKeown  
Registration No. 42,866

CUSTOMER NUMBER

**22850**

Phone: 703-413-3000  
Fax: 703-413-2220

BDL:SAM:ycs

I:\atty\sam\prosecution Work\275735\Amdt due 23Nov05.doc